

0428 08-24-01

PATENT

Customer No. 22,852

Attorney Docket No. 05725.0414-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Roland DE LA METTRIE et al.

Application No.: 09/852,624

Filed: May 11, 2001

For: OXIDISING COMPOSITION FOR
TREATING KERATIN FIBRES

)
)
) Group Art Unit: Unknown
)
) Examiner: Unknown
)
)
)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits in the above-referenced application.

Copies of many listed documents were previously submitted in a prior application, Application No. 09/319,201, with a filing date of July 9, 1999, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form. If the Examiner requires additional copies of any of the listed documents, the Examiner is invited to contact the undersigned at (202) 408-4331.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

With respect to the non-English language documents, Applicants submit the following remarks:

1. **DE 23 59 399** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
2. **DE 38 43 892** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
3. **DE 39 18 135** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
4. **DE 40 21 760** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
5. **DE 41 33 957** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
6. **DE 42 39 390** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
7. **DE 43 36 803** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
8. **DE 43 37 035** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
9. **DE 44 43 645** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
10. **DE 195 43 988** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
11. **DE 195 47 991** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.

12. **FR 2 694 018** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
13. **FR 2 586 913** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
14. **FR 2 733 749** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
15. **JP 63-169571** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract previously submitted.
16. **WO 94/08969** - An English language abstract of this foreign language document can be found on the title page of this document.
17. **WO 94/08970** - An English language abstract of this foreign language document can be found on the title page of this document.
18. **WO 94/27573** - An English language abstract of this foreign language document can be found on the title page of this document.
19. **WO 96/15765** - An English language abstract of this foreign language document can be found on the title page of this document.
20. **Ermitas Alcalde et al., "Etude de la réaction du β -aminocrotonitrile et du α -formyl phénylacétonitrile avec l'hydrazine: synthèse d'amino-7 pyrazolo[1,5-a]pyrimidines"** - This document relates to information understandable from its figures and tables.

Additionally, Applicants would like to bring to the Examiner's attention the following applications, which applications may relate to similar subject matter:

1. **Title:** OXIDISING COMPOSITION AND USES FOR DYEING,
PERMANENTLY SETTING OR BLEACHING KERATIN
FIBRES
Serial No.: 09/319,163, now U.S. Patent No. 6,241,784
By: Roland DE LA METTRIE et al.
Filed: June 2, 1999
Attorney Docket No.: 05725.0387-00000
2. **Title:** OXIDISING COMPOSITION AND USES FOR DYEING,
PERMANENTLY SETTING OR BLEACHING KERATIN
FIBRES
Serial No.: 09/832,876 (Divisional of 09/319,163)
By: Roland DE LA METTRIE et al.
Filed: April 12, 2001
Attorney Docket No.: 05725.0387-01000
(See U.S. Patent No. 6,241,784)
3. **Title:** OXIDISING COMPOSITION AND USES FOR DYEING,
PERMANENTLY SETTING OR BLEACHING KERATIN FIBRES
Serial No.: 09/319,206
By: Roland DE LA METTRIE et al.
Filed: June 2, 1999
Attorney Docket No.: 05725.0407-00000
4. **Title:** OXIDISING COMPOSITION AND USES FOR DYEING,
PERMANENTLY SETTING OR BLEACHING KERATIN FIBRES
Serial No.: 09/832,877 (Divisional of 09/319,206)
By: Roland DE LA METTRIE et al.
Filed: April 12, 2001
Attorney Docket No.: 05725.0407-01000
(See 09/319,206, a copy of which is attached)
5. **Title:** OXIDISING COMPOSITION AND USES FOR DYEING,
PERMANENTLY SETTING OR BLEACHING KERATIN FIBRES
Serial No.: 09/319,199
By: Roland DE LA METTRIE et al.
Filed: June 2, 1999
Attorney Docket No.: 05725.0408-00000
6. **Title:** OXIDISING COMPOSITION AND USES FOR DYEING,
PERMANENTLY SETTING OR BLEACHING KERATIN FIBRES
Serial No.: 09/832,878 (Divisional of 09/319,199)
By: Roland DE LA METTRIE et al.
Filed: April 12, 2001
Attorney Docket No.: 05725.0408-01000
(See 09/319,199, a copy of which is attached)

7. **Title:** OXIDISING COMPOSITION AND USES FOR DYEING,
PERMANENTLY SETTING OR BLEACHING KERATIN FIBRES
Serial No.: 09/319,167
By: Roland DE LA METTRIE et al.
Filed: June 2, 1999
Attorney Docket No.: 05725.0409-00000
8. **Title:** OXIDISING COMPOSITION AND USES FOR DYEING,
PERMANENTLY SETTING OR BLEACHING KERATIN FIBRES
Serial No.: 09/832,882 (**Divisional of 09/319,167**)
By: Roland DE LA METTRIE et al.
Filed: April 12, 2001
Attorney Docket No.: 05725.0409-01000
(See 09/319,167, a copy of which is attached)
9. **Title:** OXIDISING COMPOSITION AND USES FOR DYEING,
PERMANENTLY SETTING OR BLEACHING KERATIN FIBRES
Serial No.: 09/319,207
By: Roland DE LA METTRIE et al.
Filed: June 2, 1999
Attorney Docket No.: 05725.0410-00000
10. **Title:** OXIDISING COMPOSITION AND USES FOR TREATING
KERATIN FIBRES
Serial No.: 09/319,208
By: Roland DE LA METTRIE et al.
Filed: June 2, 1999
Attorney Docket No.: 05725.0412-00000
11. **Title:** OXIDISING COMPOSITION AND USES FOR TREATING
KERATIN FIBRES
Serial No.: 09/877,031
By: Roland DE LA METTRIE et al.
Filed: June 11, 2001
Attorney Docket No.: 05725.0412-01000
(See 09/319,208, a copy of which is attached)
12. **Title:** OXIDISING COMPOSITION FOR TREATING KERATIN FIBRES
Serial No.: 09/319,200
By: Roland DE LA METTRIE et al.
Filed: June 2, 1999
Attorney Docket No.: 05725.0413-00000

Applicants attach a copy of these co-pending applications, in accordance with 37 C.F.R. §1.98(a)(2)(iii).

An English language version of the International Search Report from the European Patent Office in the parent PCT application has been submitted in the parent Application No. 09/319,201.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 24, 2001

By: 

Jeremy M. Stipkala
Reg. No. 44,359

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000